

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. <u>08-458</u></b>
<b>v.</b>	<b>:</b>	<b>DATE FILED <u>November 5, 2008</u></b>
<b>ALFONSO CALDWELL,</b>	<b>:</b>	<b>VIOLATIONS:</b>
a/k/a "Fonnie,"	<b>:</b>	<b>21 U.S.C. § 846 (conspiracy to distribute 5</b>
a/k/a "Cake,"	<b>:</b>	<b>or more kilograms of cocaine - 1 count)</b>
<b>WILLIAM JEREMIAH MASON,</b>	<b>:</b>	<b>21 U.S.C. § 841(a)(1) (distribution of 500</b>
a/k/a "Jay,"	<b>:</b>	<b>grams or more of cocaine - 1 count)</b>
<b>GERALD HENDERSON,</b>	<b>:</b>	<b>18 U.S.C. § 1956(a)(1)(A)(i) (money</b>
a/k/a "Jahad,"	<b>:</b>	<b>laundering - 1 count)</b>
<b>ERIC DANYEL MILLER,</b>	<b>:</b>	<b>18 U.S.C. §922(g)(1) (convicted felon in</b>
a/k/a "E,"	<b>:</b>	<b>possession of a firearm - 2 counts)</b>
a/k/a "Tariq"	<b>:</b>	<b>18 U.S.C. §924(c) (possession of a firearm</b>
	<b>:</b>	<b>in furtherance of a drug trafficking crime</b>
	<b>:</b>	<b>- 2 counts)</b>
	<b>:</b>	<b>18 U.S.C. §2 (aiding and abetting)</b>
		<b>Notice of forfeiture</b>

**SUPERSEDING INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. From at least in or about October 2005 to in or about June 2007, in the City of Chester and in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**ALFONSO CALDWELL,**  
    a/k/a "Fonnie,"  
    a/k/a "Cake,"  
**WILLIAM JEREMIAH MASON,**  
    a/k/a "Jay,"  
**GERALD HENDERSON,**  
    a/k/a "Jahad," and  
**ERIC DANYEL MILLER,**  
    a/k/a "E,"  
    a/k/a "Tariq,"

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 5 kilograms or more, that is, at least 500 kilograms, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

**MANNER AND MEANS**

It was part of the conspiracy that:

2. Defendant ALFONSO CALDWELL was the leader and organizer of a cocaine distribution organization (hereinafter referred to as the Caldwell Cocaine Trafficking Organization (“CCTO”)), which distributed in excess of approximately 500 kilograms of cocaine, conservatively valued at \$10,000,000, between approximately in or about October 2005 and in or about June 2007.

3. Defendant ALFONSO CALDWELL obtained kilogram quantities of cocaine from suppliers known and unknown to the grand jury, including but not limited to Person #1 and Person #2, known to the grand jury, located both outside and within the Eastern District of Pennsylvania.

4. Defendant ALFONSO CALDWELL paid cash to Person #1 and Person #2 for the cocaine, which they provided to CALDWELL. When Person #1 and Person #2 traveled to the Eastern District of Pennsylvania to receive payment from defendant CALDWELL for cocaine that they supplied to CALDWELL for distribution, they resided at a Chadds Ford, Pennsylvania apartment, which was rented by defendant CALDWELL.

5. Defendant ALFONSO CALDWELL used his cellular telephone to communicate with defendants WILLIAM JEREMIAH MASON, GERALD HENDERSON, and

ERIC DANYEL MILLER, and other persons known and unknown to the grand jury about their cocaine trafficking business. They also spoke often about purchase of cocaine from their suppliers.

6. Defendants ALFONSO CALDWELL, WILLIAM JEREMIAH MASON, GERALD HENDERSON, and ERIC DANYEL MILLER, and others known and unknown to the grand jury, met and divided the cocaine that was received by defendant CALDWELL, and later sold resale quantities of cocaine to customers known and unknown to the grand jury.

7. After selling resale quantities of cocaine to people known and unknown to the grand jury, defendants WILLIAM JEREMIAH MASON, GERALD HENDERSON, and ERIC DANYEL MILLER, and others known and unknown to the grand jury, met with defendant ALFONSO CALDWELL and paid him cash for the cocaine that they sold, keeping several thousand dollars for themselves for each kilogram of cocaine sold.

8. Defendants ALFONSO CALDWELL, WILLIAM JEREMIAH MASON, GERALD HENDERSON, and ERIC DANYEL MILLER maintained cocaine storage, packaging, and distribution facilities at 2657 Daphne Street in Philadelphia, 7335 Drexel Road in Philadelphia, 628 West 3rd Street in the City of Chester, and other locations known and unknown to the grand jury.

**OVERT ACTS**

In furtherance of the conspiracy, and to accomplish its object, defendants ALFONSO CALDWELL, WILLIAM JEREMIAH MASON, GERALD HENDERSON, and ERIC DANYEL MILLER committed the following overt acts, among others, in the City of Chester and Philadelphia, in the Eastern District of Pennsylvania, and elsewhere:

1. In or about October 2005, defendant ALFONSO CALDWELL sold LW, a person known to the grand jury, approximately one-half kilogram of cocaine for \$11,000.
2. In or about November 2005, defendant ALFONSO CALDWELL sold LW approximately 1 ½ kilograms of a counterfeit substance, claiming that it was cocaine, for \$31,500, a portion of which was on credit.
3. In or about July 2006, defendants ALFONSO CALDWELL and WILLIAM JEREMIAH MASON gave LW approximately one kilogram of cocaine to replace the counterfeit kilogram of cocaine they had supplied LW with the previous fall.
4. In or about July 2006, while meeting with LW, defendant WILLIAM JEREMIAH MASON brought two duffle bags containing at least 30 kilograms of cocaine to defendant ALFONSO CALDWELL, which defendant CALDWELL showed LW, inside of 2657 Daphne Street in Philadelphia, PA. Defendant CALDWELL told LW that he could supply LW with any amount of cocaine that LW needed.
5. In or about the Summer of 2006, defendant ALFONSO CALDWELL met with LW, drove him to 2657 Daphne Street in Philadelphia, entered the apartment alone, where he retrieved approximately one kilogram of cocaine, and sold it to LW for \$20,000.
6. In or about August 2006, defendant ALFONSO CALDWELL sold LW

approximately one kilogram of cocaine for \$20,000.

7. In or about late August 2006, defendants ALFONSO CALDWELL and WILLIAM JEREMIAH MASON sold LW approximately two kilograms of cocaine for \$40,000, \$24,000 of which was on credit.

8. In or about September 2006:

a. LW paid defendant ALFONSO CALDWELL the remaining \$24,000 for his purchase of cocaine in about late August 2006; and

b. Defendant ALFONSO CALDWELL sold approximately 1 ½ kilograms of cocaine to LW for \$30,000.

9. On or about September 20, 2006, defendants ALFONSO CALDWELL and WILLIAM JEREMIAH MASON sold LW approximately four kilograms of cocaine for \$80,000, a portion of which was on credit.

10. On or about September 30, 2006, defendant ALFONSO CALDWELL met with LW for the purpose of obtaining \$50,000 as payment for the September 20, 2006 sale of cocaine, and to supply LW with additional kilograms of cocaine.

11. On or about September 30, 2006, inside of 2657 Daphne Street in Philadelphia, PA, defendants ALFONSO CALDWELL and ERIC MILLER possessed two empty kilogram wrappers containing cocaine residue; and the following items used in the processing and packaging of cocaine for resale: (1) two 1 gallon containers of acetone; (2) a press; (3) two heat sealers; (4) plastic storage bags; (5) rubber gloves; (6) bottles of Inositol and Procaine; (7) three scales; (8) glassware and a mixer with cocaine residue inside; (9) two large metal strainers. Defendants CALDWELL and MILLER also possessed \$10,080 in drug

proceeds; a loaded Jennings .22 caliber semiautomatic pistol, with an obliterated serial number; a loaded Taurus .40 caliber semiautomatic pistol, serial number SVD73508; a loaded Smith & Wesson .44 caliber pistol, serial number N850683; a loaded Ruger .45 caliber semiautomatic pistol, serial number 57-43388; and a Remington 12 gauge shotgun, with no serial number.

12. On or about August 27, 2007, defendant ERIC MILLER possessed approximately 8 empty kilogram wrappers containing cocaine residue; an Accu Banker money counter; a bowl, two scales, and a fork all containing cocaine residue; a bottle of cutting agent used in the processing of cocaine for resale; a Ruger 9mm P89 semiautomatic pistol, serial number 313-14627, loaded with 11 live rounds of ammunition; and a Glock 21C .45 caliber semiautomatic pistol, serial number FDL039, loaded with 9 live rounds of ammunition, inside of 7335 Drexel Road, Philadelphia, PA.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 2 through 8 of Count One of this Superseding Indictment are incorporated herein at all times material to this superseding indictment.
2. Defendant ALFONSO CALDWELL's residence was located in Bear, Delaware.
3. Defendant ALFONSO CALDWELL was a drug trafficker whose sources of supply, Person #1 and Person #2, individuals known to the grand jury, resided outside of the Eastern District of Pennsylvania.
4. When Person #1 and Person #2 came to the Eastern District of Pennsylvania to receive payment from defendant ALFONSO CALDWELL for cocaine that they provided to CALDWELL for distribution, they resided at a Chadds Ford, Pennsylvania apartment, which was rented by defendant ALFONSO CALDWELL.
5. In or about August 2006, in the Eastern District of Pennsylvania, and elsewhere, defendant

**ALFONSO CALDWELL,  
a/k/a "Fonnie,"  
a/k/a "Cake,"**

knowingly conducted, and aided, abetted, and willfully caused the conducting of the following financial transaction affecting interstate commerce, that is, he provided approximately \$110,090 in U.S. currency to Person #1 and Person #2, known to the grand jury, as payment for cocaine which they supplied to him, which U.S. currency Person #1 and Person #2 transported from defendant CALDWELL's Chadds Ford, Pennsylvania apartment to a place outside of

Pennsylvania.

6. When conducting, aiding, abetting, and willfully causing, the financial transaction described in paragraph 5 above, defendant ALFONSO CALDWELL knew that the property involved in the financial transaction represented the proceeds of some form of unlawful activity.

6. The financial transactions described in paragraph 4 above involved the proceeds of a specified unlawful activity, that is, cocaine trafficking, in violation of Title 21, United States Code, Sections 846 and 841, and defendant ALFONSO CALDWELL acted with intent to promote the carrying on of the specified unlawful activity.

All in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and 2.



**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 20, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ALFONSO CALDWELL,  
a/k/a “Fonnie,”  
a/k/a “Cake,” and  
WILLIAM JEREMIAH MASON,  
a/k/a “Jay,”**

knowingly and intentionally distributed and aided and abetted the distribution of, 500 grams or more, that is approximately 3,963 grams, of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 30, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**ALFONSO CALDWELL,  
a/k/a “Fonnie,”  
a/k/a “Cake,” and  
ERIC DANYEL MILLER,  
a/k/a “E,”  
a/k/a “Tariq,”**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a loaded Jennings .22 caliber semiautomatic pistol, with an obliterated serial number; a loaded Taurus .40 caliber semiautomatic pistol, serial number SVD73508; a loaded Smith & Wesson .44 caliber pistol, serial number N850683; a loaded Ruger .45 caliber semiautomatic pistol, serial number 57-43388; and a Remington 12 gauge shotgun, with no serial number.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about September 30, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ALFONSO CALDWELL,  
a/k/a “Fonnie,”  
a/k/a “Cake,” and  
ERIC DANYEL MILLER,  
a/k/a “E,”  
a/k/a “Tariq,”**

knowingly possessed a firearm, that is, a loaded Jennings .22 caliber semiautomatic pistol, with an obliterated serial number; a loaded Taurus .40 caliber semiautomatic pistol, serial number SVD73508; a loaded Smith & Wesson .44 caliber pistol, serial number N850683; a loaded Ruger .45 caliber semiautomatic pistol, serial number 57-43388; and a Remington 12 gauge shotgun, with no serial number, in furtherance of a drug trafficking offense for which they may be prosecuted in a court of the United States, that is, conspiracy to distribute cocaine, and distribution of cocaine, in violation of Title 21, United States Code, Sections 846 and 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 27, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ERIC DANYEL MILLER,  
a/k/a “E,”  
a/k/a “Tariq,”**

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Ruger 9mm P89 semiautomatic pistol, serial number 313-14627, loaded with eleven live rounds of ammunition; and a Glock 21C .45 caliber semiautomatic pistol, serial number FDL039, loaded with nine live rounds of ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about August 27, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**ERIC DANYEL MILLER,  
a/k/a “E,”  
a/k/a “Tariq,”**

knowingly possessed a firearm, that is, a Ruger 9mm P89 semiautomatic pistol, serial number 313-14627, loaded with eleven live rounds of ammunition; and a Glock 21C .45 caliber semiautomatic pistol, serial number FDL039, loaded with nine live rounds of ammunition, in furtherance of a drug trafficking offense for which he may be prosecuted in a court of the United States, that is, distribution of cocaine, in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1) and 846, set forth in this superseding indictment, defendants

**ALFONSO CALDWELL,  
a/k/a "Fonnie,"  
a/k/a "Cake,"  
WILLIAM JEREMIAH MASON,  
a/k/a "Jay,"  
GERA HENDERSON,  
a/k/a "Jahad," and  
ERIC DANYEL MILLER,  
a/k/a "E,"  
a/k/a "Tariq,"**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense; and

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offense, including, but not limited to, the sum of \$10,000,000.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

3. As a result of the violation of Title 18, United States Code, Section 1956, set forth in this superseding indictment, defendant

**ALFONSO CALDWELL,  
a/k/a "Fonnie,"  
a/k/a "Cake,"**

shall forfeit to the United States of America any and all property involved in such offenses, and any property traceable to such property.

Such property shall include, but not be limited to, the sum of \$110,090.

4. As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 924(c), set forth in this superseding indictment, defendants

**ALFONSO CALDWELL,  
a/k/a "Fonnie"  
a/k/a "Cake" and  
ERIC DANYEL MILLER  
a/k/a "E,"  
a/k/a "Tariq,"**

shall forfeit to the United States of America all firearms and ammunition involved in the commission of such offenses, including, but not limited to:

-a Ruger 9mm P89 semiautomatic pistol, serial number 313-14627, loaded with eleven live rounds of ammunition; and

-a Glock 21C .45 caliber semiautomatic pistol, serial number FDL039, loaded

with nine live rounds of ammunition;

-a Jennings .22 caliber semiautomatic pistol, with an obliterated serial number, loaded with three live rounds of ammunition;

-a Taurus .40 caliber semiautomatic pistol, serial number SVD73508, loaded with ten live rounds of ammunition;

-a Smith & Wesson .44 caliber pistol, serial number N850683, loaded with six live rounds of ammunition;

-a Ruger .45 caliber semiautomatic pistol, serial number 57-43388, loaded with three live rounds of ammunition; and

-a Remington 12 gauge shotgun, with no serial number

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

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**LAURIE MAGID**  
**ACTING UNITED STATES ATTORNEY**